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1999 POWWOW ISSUE



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FSIN calls for public inquiry into Native youth abuse at facility

by Brian Savage

Kilburn Hall, a 48-bed youth detention centre in Saskatoon, has come under fire after Youth Court Judge Mary-Ellen Turpel-Lafond reviewed charges that youth workers used excessive force on a 17-year old Native youth being detained in an isolation cell. The judge acquitted the youth of two charges stemming from the incident, assault and uttering a threat.

In a 42-page decision the Native judge said other methods must be used before forceful restraint is used.

"This policy of silencing building noise and securing the facility by using extraordinary physical restraints is not an prescribed policy. It is an ad hoc practice which is at odds with the other policies in place."

The judge also wrote that an assault may have taken place "but not by the youth."

The treatment of the youths by workers raises "basic human-rights issues" wrote the judge. In the past, blankets and mattresses were taken away to ensure compliance by the inmates, and isolation cells were also used as a form of punishment.

The judge also stated that because of the high incarceration rate among Natives "care must be taken to deal with Aboriginal youth in a spirit of understanding their often tragic personal circumstances."

The Federation of Saskatchewan Indian Nations (FSIN) has called for a public inquiry into the province's youth detention centres and their practices.

Vice-Chief Lawrence Joseph is in charge of the FSIN Justice portfolio. It was his memo calling for a public inquiry that caught the attention of news organizations and sparked the government, facing an election, to offer a meeting with Harry Van Mulligen, Minister of Social Services.

"It was a preliminary meeting to discuss what we can do because we're just not included in any decision making areas in regards to corrections in the province of Saskatchewan," says Joseph. "It's something that's an ongoing irritant for First Nations people."

Joseph says that the government will provide funding for an FSIN youth coordinator to provide a link between family services and the youth justice system and serve on committees to address youth custody concerns, including the use and type of restraints. "The severity of the application of some of these restraints is really quite medieval," says Joseph. "We'll be involved in monitoring or regulating the use of restraints wherever possible." Another possibility is to have the FSIN involved in the management of custody facilities and the possibility of using traditional customs and understandings for youth who become violent. This is an important step, says Joseph, for Natives to have a say in the way Native youth are dealt with. "There's no inclusion and now they've committed to me in writing that there will be an open door for our people to get into the management of these facilities."

Natives will also be included on provincial youth



offender forums and will now have input on equal terms with provincial justice members and representatives from the Department of Social Services. The FSIN official also noted that the minister has promised a visit to every facility with FSIN officials to assess the conditions and concerns of those detained there.

Other possibilities include a review of the numbered First Nations people working in the field of corrections and to explore with the province and Corrections Canada the possibility of creating jobs for Natives in that area. Joseph adds that he is also looking at a First Nations justice system, including policing and courts, based on Aboriginal understanding of treaty rights and treaty promises.

"We plan to launch a think tank to incorporate all the factions, all the facets in corrections and healing," says Joseph.

A first step at Kilburn Hall will be the hiring of a full time elder cultural coordinator, supplied by the Saskatoon Tribal Council and the creation of a community advisory board to ensure Native input. FSIN also will participate in joint planning for youth and youth offender services.

Changes are needed in the system, says Joseph, and those changes will take time but change will occur because it must.

"Under section 718 of the Criminal Code it's clearly expressed that when Aboriginal people come in front of the judge the last option is supposed to be incarceration but it's the other way around. It seems that the only option judges have in their books is to sentence people to jail with no alternate measures. We have to change that. Our jails are full of First Nations people. When you send people to correctional facilities, these are not correctional facilities, these are universities for more crime and it needs to be addressed."

With more Native input and plans for a Native justice system being developed, Joseph hopes that the future will be brighter regarding the dismal incarceration rate of Natives.

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National Aboriginal Day takes place June 21

by John Copley

June 21 is National Aboriginal Day. And true to its mandate, the special day of recognition, designed to promote the rich cultural diversity of Canada's Native populations, is indeed a day to celebrate. It didn't happen overnight, thus all the more reason to appreciate the significance of its design. First launched in 1996, National Aboriginal Day actually got its start a long time before that. In fact, it was back in 1982 when the National Indian Brotherhood (NIB), now known as the Assembly of First Nations (AFN), first introduced the idea via a national campaign to secure a special day of recognition for Canada's Indigenous peoples. At the time the NIB's plan was to incorporate June 21, the first day of the summer solstice, as National Aboriginal Solidarity Day. Thirteen years later the idea for a special day of recognition surfaced again, this time with the backing of many organizations and government bodies now in favour of promoting the concept. In 1995, participants of the Sacred Assembly, a



Indian Act

"Métis people are persons of mixed First Nations and European ancestry who are descended from the Métis community of Western Canada. They also include people of Aboriginal ancestry who identify themselves as Métis, distinct from First Nations and Inuit."

"Inuit are the Aboriginal inhabitants of northern Canada, who reside north of the 60th parallel and in Northern Quebec and Labrador."

Take in an event or two this year—there are no shortage of celebrations. In fact, the one day event is being met with three days of celebration, beginning on Saturday June 19. That's when the Edmonton-based Provincial Museum of Alberta and the Syncretic Gallery of Aboriginal Culture get involved. The latter offers a unique storytelling approach to Aboriginal culture and historical fact and is a must-see attraction for every student working in a Native Studies program. The Provincial Museum will host an array of storytellers, performers and artists in a 12 noon to 4 p.m. gathering of talent that promises both a fun-filled and educational afternoon.

On Sunday, June 20, the Alberta Legislature grounds will be the site of yet another Aboriginal celebration. The day, which begins at 9:00 a.m., will feature a special pipe ceremony as well as crafts displays, children's activities, an Elder's meeting area, a Métis village, food vendors, a traditional tipi and a fashion show. The events conclude at 7:00 p.m.

national meeting of peoples held in Hull, Quebec and organized by MP Elijah Harper, called once again for a national day that would recognize the contributions of Canada's Indigenous peoples. One year later Aboriginal Day was launched across the country via a special ceremony hosted by Canada's then Governor General, Romeo LeBlanc.

The June 21 date was chosen because the summer solstice, the longest day of the year, is a day on which many generations of Aboriginal peoples have traditionally celebrated their heritage and culture. Every Canadian is encouraged to participate in National Aboriginal Day by honouring and recognizing both the significant contributions that Aboriginal people have made to Canada's growth, and by appreciating and recognizing the Aboriginal community for what it is, a rich and culturally diverse society that is moving quickly forward in its quest for self-determination via self-sufficiency.

National Aboriginal Day is designed to represent the achievements and history of all Aboriginal peoples in Canada. Indian Affairs describes the word 'Aboriginal' as people who are "the descendants of the original inhabitants of Canada." In other words, all three recognized Native groups within the Canadian Constitution, First Nations (formerly called Indians), Métis and Inuit fall under the general term, Aboriginal. "Although these groups have much in common," says DIAND, "they are separate peoples with unique heritages, languages, cultural practices, and spiritual beliefs."

"First Nations," they add, "is the term many Indian people in Canada are using to describe themselves. First Nations people include Status Indians and Non-Status Indians. Status Indians are people who are registered or entitled to be registered as Indians under the Indian Act, and Non-Status Indians are people of Indian ancestry who are not registered as Indians or who have lost their right to be registered under the



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Residential school lawsuits number thousands

by Brian Savage

Residential school victims have filed over 3000 lawsuits against the federal government and damages may range from \$130 million to \$3 billion.

In Alberta hundreds of claims were filed in court in February due to the passage of a new Limitations of Actions Act, which specified a February 28 deadline. Many of the Natives were represented by the large Merchant Law Group. Its head Tony Merchant takes a strong view of the role that lawyers have played in the recruitment of Native claimants and their importance in achieving compensation for those abused.

"As we got into this field," says Merchant, "we found that the law firms doing them tended, by and large, to be either large firms or small firms not doing it very well."

The problems lies in the expenses, or disbursements, that law firms can gather as they pursue a claim, says Merchant. Many large firms can carry those costs but are more comfortable in other areas of the law, such as dealing with banks and corporations, while small firms cannot afford to carry costs for a long period of time. Costs can include long distance telephone calls,

travelling expenses, translators, and psychologists. The latter, says Merchant, can be particularly important in some cases.

"That evidence is useful to us in order to get the full kind of compensation that people need or deserve." The costs involved may be high and firms may have to carry them for years before seeing any money from a particular file. In B.C., says Merchant, the law courts move slowly and a case may take years before being concluded and a law firm may have expenses of \$100,000.

Lengthy court battles over claims of abuse at residential schools are particularly frustrating for those involved, says Merchant, as the abused look for closure. "In a sense they're looking for their own mental reconciliation and they're looking for compensation and you have to bring all these things together as quickly as possible."

Merchant says his group starting acting for First Nations years ago and their reputation grew as they handled prominent cases including cross-cultural adoption cases. "Our client base grew from there," observes Merchant, noting that his firm now represents thousands of clients in residential school abuse cases across Canada, but primarily western Canada.

"We really cover the full gamut of these cases and I think that's another reason why we have so many First Nation clients coming forward with this kind of case, because the knowledge we have in Ontario is beneficial to the way we handle things in Alberta."

Merchant says there are two types of people seeking compensation from the residential schools. The ma-

majority have managed to piece their lives together, and have come to some terms with the abuse they suffered 20 or 30 years ago. The minority are so traumatized they are still reluctant to go forward with the case. The lawyer told of one man who had expressed the wish that his claim be withdrawn because of the emotional pain he was still suffering, but Merchant told him by doing that he would allow the government to win again, something that he thought the man would not want to happen, and he was correct. "It's kind of like pulling scabs off a wound, and for everyone that's the case to some extent, and for some it is really crushing to reopen the thing and talk about it." Merchant says that psychologists say it is beneficial for people to come forward and "confront the devil" but he adds that traumatic interviews and witness testimony lead to "heart-wrenching" moments.

How long court cases can take varies from province to province, says Merchant, from about two years in B.C., if things go well, to just over a year in Alberta, a year in Saskatchewan (though government lawyers are now using "systemic delays" in many cases there), two to three years in Ontario. Manitoba has a limitation law that Merchant feels is untenable within the eyes of the court and feels there is legal opinion to back him in saying that even though February 28 was the deadline under the new limitations in Alberta, there is a two-year window to still file claims.

"For our clients we pay everything," observes Merchant. "If we collect nothing they pay nothing, so there's no (monetary) risk for the client." Merchant takes the view that while many law firms have con-

Continued on page 21

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"I've learned that providing a high level of service to my Aboriginal clients is not only good business but a privilege" explains Snow. "I speak for everyone at Auto Acceptance group when I say, for us, Canada's First Peoples are first with us."



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Poundmaker claims under provincial investigation

by John Copley

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Former staff members and managers of the St. Albert-based Poundmaker Institute have succeeded in their quest for an investigation into their allegations of corruption and illegal termination of staff at the world renowned institute.

Problems at the drug and alcohol treatment centre began in mid-March when disgruntled staff members turned up at the Alberta Legislature to draw attention to their plight. The group demanded an independent forensic audit, the reinstatement of several staff members who'd been fired and the resignations of Executive Director Barb Budesheim and the board of directors.

Since that time the matter has received a lot of local media coverage and was even discussed in the Legislature. As a result Human Resources and Employment Alberta have launched an investigation into the complaints.

Dave Hennig, a spokesperson for the new depart-

ment, formerly Alberta Labour, confirmed that an investigation was underway.

"We do have a number of complaints about employment standards at Poundmaker's Lodge and we are going to be investigating those," he said.

One of the central figures since the March dispute has been Dave LaSuisse, the former cultural and program coordinator at the Institute. Unwavering in his desire to see the issue resolved, LaSuisse, one of those who marched on the Legislature, said that he and other former staffers "stand up for what we believe in. What we saw happening there was not right. We are not going to go away."

The current investigation is looking into claims that Poundmaker management fired staff without giving proper notice. The investigation is also looking into allegations that employees had difficulty in receiving their pay cheques. Staff also claimed that the records of employment needed to claim unemployment insurance benefits were withheld for unreasonable periods.

In the four months that have passed since the 18 former staffers launched their court action, many have gone on to other jobs and have no desire to return to Poundmaker's. They are, however, determined to see their concerns addressed.

"Most people have accepted the change," remarked LaSuisse, in recent comments to media. "Life moves on."

Chances for an immediate audit, however, seem slim. On March 22, Alberta Liberal Colleen Soetaert, brought the matter before the Alberta Legislature. Minister of Community Development Shirley McClellan was asked whether or not she intended to call for an audit. She replied that "before I would ask for a forensic audit I would want to have some basis for doing so. As far as the audit, Mr. Speaker, there will be an audit as there is each year, and I can tell the honorable member that there will be a financial audit done at the year-end, and that it will be done by an independent auditor."

The fiscal year ended on April 1, and no improprieties in the audit have been announced as this newspaper goes to press.

A simultaneous court action initiated by former Poundmaker Director Pat Shirt and Hobbes attorney, Willie Littlechild, one of the original members of the Poundmaker Board of Directors, has called for an injunction against the current board and CEO Budesheim. The complainants are still awaiting their day in court.

The Poundmaker's Society has been advertising for a new executive director but, according to staff, no one has been hired.

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Tax exempt status put off in Ontario court

by Ennis Morris

An Ontario First Nation woman will have to wait a little longer, as will the rest of Canada, to see whether or not her attempt to win tax exempt status through the courts has been successful.

The case involves Rachel Shilling, a Toronto social worker and member of the Orillia-based Rama First Nation. Though living and working off-reserve, Shilling has asked the Federal Court to exempt her from paying taxes. In her statement of claim, Shilling says that because her employer is a First Nation-based business she should qualify for the exempt status. Revenue Canada disagrees.

A decision on the matter, which was originally to have been announced earlier this month, could have major implications should Shilling win her challenge, especially for Revenue Canada's claim to a piece of the pay cheque when Natives are employed off-reserve. More than 400 similar cases are currently awaiting the decision in the Shilling's case.

According to the Indian Act a First Nation resident who lives on the reserve is not required to pay taxes on monies earned on the reserve, only on those monies earned off-reserve. To combat what they consider unfair tax rules, some on-reserve Aboriginal companies have been formed, that "leave" workers to outside organizations and businesses. The tax department, however, sees this move as illegal circumvention of taxes and has ordered payment from Natives who are employed under these conditions.

Rachel Shilling claims to work for Native Leasing Services, a business located on the Six Nations of the Grand River Reserve. The agency she contracts to, Anishnawbe Health Toronto, is located in the heart of the city and is designed to provide services to Native street people. She wants a tax exempt status because she claims she is technically employed by a reserve-based company. She also argued that it shouldn't be



a matter of where she lived or worked, but instead whether she "maintains relationships with the Native people and to her reserve community" and is an accepted member who spends her energies trying to improve the lot of her people.

Shilling says her rights are guaranteed under the Charter of Rights and Freedoms, saying the requirement to live on the reserve to qualify for tax exemption, "discriminates on the basis of where she lives, contrary to the right to equality before and under the law."

Rachel Shilling's case is the first of four test cases currently before the courts. The current guidelines were created in 1995 and in the upsurge, Toronto's Canada Revenue offices were stormed and occupied for more than a month by a group of unhappy Natives.

One of the principal figures of that protest was Roger Obasowan, the owner of Native Leasing Services.

A victory for Rachel Shilling will prove beneficial to many of Canada's 1.2 million Aboriginal citizens, but at the same time will cost Ottawa millions of dollars in lost revenue. A decision is expected in the case before months end.

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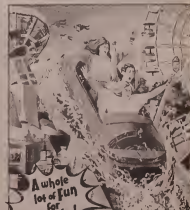
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Creations by Berna an expanding enterprise

by John Copley

Bernadette Beaulieu is a member of the Dogrib Rae First Nation, a small Treaty 11 community located about 70 kilometres north of Yellowknife in the Northwest Territories. She currently resides, and operates her business Creations by Berna, in the city of Yellowknife.

With more than 25 years of experience in the sewing and design industry, particularly as it relates to traditional Native garb, Berna has recently expanded her horizons and is now beginning to captivate fashion conscious buyers in Edmonton and beyond. Berna, who credits her business success to the "understanding and consistent support" of her husband, Dan Epp, is now accepting orders and requests for information from outside her normal trading area.

To help build a larger client base, Creations by Berna is already active on the "show" circuit and has held numerous fashion shows over the past year including one at the Arctic Winter Games, a second at the Premier's Conference and a third at a local Yellowknife elementary school.

Bernadette says traditional wedding and Métis-style outfits are among the many types of clothing ideas she likes to work with and by participating in fashion shows, the public gets the opportunity to see what is available to them.

Bernadette Beaulieu established Creations by Berna in May of 1996 and continues to be the company's sole proprietor and one who believes in the hands-on approach to business. The company also employs a number of highly skilled workers and artisans in a variety of specialty areas. "The company," explains Berna, "has grown on its reputation for creative design, quality of work, competitive pricing and excellent customer service."

Over three years Berna, and her masterful designs, have acquired an outstanding reputation for professionalism, integrity and value for the dollar. As a result she has gained increasing respect and recognition for her unique designs, particularly in her specialty areas of traditional ceremonial clothing and customized bridal and formal wear.

Bernadette is the sister of well-known Canadian Aboriginal artist, Archie Beaulieu. Educated in Fort Smith and Yellowknife in the 1960s Berna has always made sewing a part of her life. A former employee of the Northwest Territories government, Berna accepted a 1996 layoff package and quickly established herself as one of the region's most sought after seamstress. A self-confirmed perfectionist, Berna carries her idealistic attitudes into the realities she captures in her clothing designs. Using age-old traditions and specially selected materials, Berna Beaulieu takes her images and colours from the land, thus adding special beauty to the many traditional events, dances and ceremonies that her clients attend.

In addition to individual custom orders, her company also manufactures large commercial-size orders.

"We use the latest in technology to ensure the consistency and accuracy of the final product," she explained. "By combining the innovation of new methods with the strength of traditional techniques, our clients are assured of the highest



quality garment available and we guarantee our work."

Creations by Berna can also look after your alterations and repairs. "If your favourite suit doesn't fit any more," she assured, "bring it in for adjustment. If your old parka is still in good shape but needs a new collar or new trim, bring it in, we'll have it back to you in no time."

Berna says if "any of your readers are interested in contacting me about my work they can call me at (867) 873-2054."

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can fit the groom with something special, or create a gown for your high school or college graduate.

Berna's Aboriginal designed garments and accessories add to the beauty of traditional events, dances and ceremonies. Keep the spirit strong and feel the pride of wearing her lovingly made traditional Dene and Métis clothing.

Creations by Berna is 100% northern owned and operated. Established in May, 1996 and located in Yellowknife, Northwest Territories, the company is managed by owner and seamstress Berna Beaulieu. The company employs a number of highly skilled artisans in specialty areas such as beadwork and embroidery.

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Saluting Native Grads

Women and Wellness Conference to open new millennium

by John Copley

The B.C. based Association of First Nations Women (AFNW) is currently planning the agenda for the organization's fourth conference on Aboriginal Women and Wellness. The three-day symposium, entitled *The Legacies We Leave Our Children*, is scheduled to take place at Vancouver's Hyatt Regency Hotel on January 9-11, 2000.

The AFNW scheduled the conference to coincide with the beginning of the new millennium, in part because of the significant impact the experiences and progress of the next seven generations will have on the future of the world's Indigenous populations.

"As we enter this new era," says conference coordinator and manager of UBC's Inter Professional Continuing Education, Elaine Liao, "we must ask ourselves, what legacies are we leaving our children for the next seven generations? To address this and other vital issues the conference will focus on traditional lifestyles and on the significance of maintaining the cultural values of our ancestors."

The conference will engage itself in a number of different subject areas including traditional ways of child birthing, parenting, governing and decision making. Language, dance, plant medicines, storytelling, oral traditions, spirituality, health promotion and cultural and political movement are among the other topics on the busy agenda. "We are extremely fortunate to have an exciting list of guest speakers and facilitators," explained Elaine Liao, adding that most of the keynote speakers have already confirmed their attendance.

"Our keynote speaker," she continued, "is Donna Enriqueta Contreras, a 69-year old Zapotecan woman with 45 years of experience as a midwife. She is also a master healer and herbalist and mother of five children who she educated so they could have a better life. We will also introduce keynote speakers from Europe, Hawaii and New Zealand, including international conference participants, Maori spiritual leader Tohuna Rata, and Dr. Rang'unarlie Turuki Rose Pere, a member of the ancient peoples of Urewera, New Zealand."

AFNW President Angie Todd-Dennis will chair the event. Other conference moderators and facilitators include Lucy Barney, Lerrinda Swain, Shirley Morven, Susan Martin and Pauline Waterfall.

A Health Fair and an arts and crafts display/sale will accompany *The Legacies We Leave Our Children* conference. Educational exhibits and wellness information will be made available to all participants and visitors will have the opportunity to state their artistic desires—but display space is limited and will be



rented out on a first come, first served basis.

"We also welcome and encourage participants who would like to give a presentation," explained Liao. "Presentations must be related to the legacies we leave our children and can include traditional, current or future perspectives. The presentations should be cultural, interactive and provide successful models in areas that can include healing, storytelling, health promotion, music, dance and other creative expressions."

Conference organizers have slated Saturday, January 8 as Registration Day, though registrations will be accepted any day. Registrants will receive a flag and pin when they sign in. Registration is scheduled to begin around 3:00 p.m.

"This is an ideal time to meet new people, greet old friends and network a little with your peers," explained Elaine Liao. "Well adjourn by 9:00 p.m."

The symposium will get underway twelve hours later with welcoming comments by conference chair Angie Todd-Dennis.

In addition to the various keynote speaker ad-

resses, participants and spectators can delight in one or more of the many concurrent sessions or panel presentations also slated over the three days. Sunday's sessions (3:00-5:00 p.m.) include pre-natal birth and pre-natal care, oral traditions, traditional governance, plant medicines and a youth/elder circle. Monday's (10:30 a.m.-noon) topics include headings like *Delgamueth, Niska Language, Family Violence, Addictions* and more. Several panel presentations are planned for the final day of *The Legacies We Leave Our Children* conference. At 9:00 a.m. a Youth/Elders Circle, complete with drama dance songs, will be facilitated by Vancouver's Susan Martin. This will be followed by a session entitled *Traditional Healing versus Western Medicine*. The third of the four special presentations is entitled *Honouring Women (Elder, Mother, Youth)*. This one, and the final offering, *Healthy Communities (Environmental Health, Family, Alternative Lifestyles)* have not yet appointed a facilitator.

"We are confident that this will be one of the better conferences of the year," assured Elaine Liao. "We are expecting participants and delegates from around the world. The knowledge they will bring with them will be of great interest and benefit, as will the information our visitors glean while they are here with us. Call us for more information about the conference and remember, if you are consider-nog an arts and crafts display area, book early to avoid dis-appointment."

For more information on *The Legacies We Leave Our Children* conference, contact Elaine Liao in Vancouver by calling (604) 822-4965. You can also inquire via email to elaine@cehs.ubc.ca.

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John Kim Bell receives special honour from U of A

by John Copley

John Kim Bell is a 46 year old internationally acclaimed musician and humanitarian whose outstanding music and generosity have made him a household name in Aboriginal and other Canadian communities since the early 1980s. Adding his uniquely indelible mark to Canada's ever-changing music industry, John Kim Bell, the founder and driving force behind the National Aboriginal Achievement Awards, has just received a doctorate from the University of Alberta, the fourth time he's been chosen by a university to receive the prestigious award.

As one of Canada's most highly regarded composers, John Kim Bell has established for himself a permanent place in the history books—and for more reasons than one, including the fact that he is equally well-known for sharing the rewards of his success with others. Over the past several years his efforts have resulted in millions of dollars awarded to Canadian Aboriginal students pursuing career opportunities that include technology, the sciences, business, health, social services and the arts.

Mr. Bell, a member of the Kahnawake Mohawk First Nation, was recognized for his musical talents when he was just 18 years old and began conducting major Broadway musicals in New York. In 1980 he became the first Aboriginal person to ever conduct a symphony orchestra when he was named the apprentice conductor for the Toronto Symphony. Three years later a CBC documentary on his life helped him to re-establish contact with his roots, the Aboriginal community. A year later he founded the Canadian Native Arts Foundation, an organization dedicated to helping artistic Native youth get the opportunities they need to succeed. In 1997 the Foundation expanded its mandate and began to help students pursue their educational dreams. More than \$7 million has already been distributed in educational scholarships to more than 1,000 students. More than 400 students are assisted each year.

In 1993 Mr. Bell created the National Aboriginal Achievement Awards (NAAA). Broadcast annually on CBC-TV, the NAAA is among the largest annual cultural events in the nation's Aboriginal community.

The recent presentation of his honorary Doctor of Laws degree, handed out by University of Alberta chancellor, Lois Hole, was met with cheers from both colleagues and admiring spectators. Commenting on his achievements, but concentrating on the positive youth programs currently underway in Canada's



Indigenous communities, Mr. Bell said that "it's important for our young people to know you can be both successful and Aboriginal in this country." Commenting on the goals of the organizations he's had such a big hand in developing, Mr. Bell added that it was "important to feed our kids success stories. We are developing our own heroes, our own future."

Mr. Bell received his honorary doctor of law degree from the University of Alberta on Thursday, June 10, 1999.

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FAS daily living booklet now available

by John Copley

their strategy would be one that produced positive results.

In 1994, however, the many requests by parents and child care professionals seeking a handbook about FAS were answered. The provincially funded non-profit organization, known as SNAP, produced their outstanding booklet, *FAS, Parenting Children Affected by Fetal Alcohol Syndrome*.

SNAP, the abbreviated form used by the Society of Special Needs Adoptive Parents, distributed more than 5,000 copies of their initial publication. Requests, which continue to pour in today, have come not only from across Canada and the United States, but from Africa, Australia and the United Kingdom as well.

"In the four years since the book was first published," explains SNAP Publication Coordinator, Sara Graefe, MFA, "there have been significant advancements in the field and though there's been a great deal of social awareness, there is still a long way to go."

In 1997 SNAP was approached by the Adoption Council of Canada (ACC) to create a national edition of the booklet in both of Canada's official languages. With financial aid from the Queen Alexandra Foundation for Children in Victoria, SNAP undertook the project and has just released an updated version entitled, *FAS, A Guide for Daily Living*.

Even though research is on-going and readers are encouraged to continue to update themselves by contacting the numerous agencies that are addressing the issue, this book is must-have item for anyone, anywhere, who deals with children affected by FAS.

"With research assistance from the ACC and the Canadian Centre on Substance Abuse (CCSA)," says Ms. Graefe, "we have updated and expanded the material in the first edition and have added sections outlining special considerations for parenting infants and adolescents. In addition, we've added a special section on parents' needs and caring for the caregiver—an important task that often gets overlooked when parenting children with special needs."

There is no set amount of alcohol that an expectant mother can drink before she has to worry about her unborn child being affected. As little as one drink can create problems. And there is no immunity, regardless of race, creed or religion—any pregnant woman who drinks beverages containing alcohol faces the same risk—though a study in Regina last summer did indicate that 86 percent of FAS cases in Saskatchewan and Manitoba involved Aboriginal Canadians.

The 12 page resource list provided in the *FAS, A Guide for Daily Living* booklet offers readers a diverse selection of books, videos, organizations and many other valuable resources of information currently available in Canada.

Elspeth Ross, a parent and researcher with ACC sums the book up nicely when she says that "this guide, with its national resources is a starting point

(that) enables all Canadian families, English and French, to find the right kind of help. This book will help parents of FAS/FA children and professionals working with them to obtain what they need: information and education, support and understanding, referrals and services, realistic expectations and commitment."

To order copies of *FAS, A Guide for Daily Living* contact the Adoptive Council of Canada. This revised edition has sold more than 1700 copies since its release in September 1998. It is already in its second printing. The French edition will be available in early April. To order copies of *FAS, A Guide for Daily Living* use the order form next to this article or contact the Adoption Council of Canada at 1-888-542-3678. Orders may be faxed to the ACC at 613-235-1728.

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Foreword by
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Fetal Alcohol Syndrome, more generally known as FAS, is a debilitating man-made malady that reaches out and destroys the opportunities of those we treasure so dearly, our children. One of the saddest things about FAS, which occurs when pregnant mothers consume alcohol, is the fact that it is 100 percent preventable.

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A Story of the Legendary Memekwesiwuk

Collected and Illustrated by James Ratt. Told by Ida Ratt

Have you ever heard stories of the Memekwesiwuk? They were believed to be powerful medicine men who lived among the cliffs along rocky shores. Some people say that they were lost souls who inhabited our world. The elders who have seen the Memekwesiwuk offered them tobacco. They placed the tobacco in a crack in the cliff. This ensured that they would get calm waters for travelling. The Memekwesiwuk had the power to cause rough waters but an offering given to them would gain someone their protection.



An old man had this happen to his nets and he was angry at the mischief of the Memekwesiwuk. So, one night he paddled his canoe out on the lake where he had set his fish nets. He watched these strange creatures come out of the cliffs in their canoe and allowed them to approach the nets. Then he positioned his canoe between the cliffs and the nets and waited for them to return. When the Memekwesiwuk returned with their load of fish, the old man grabbed the bow of their canoe when they came by.



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The Memekwesiwuk fell to the bottom of their canoe because they were very ashamed of their faces. The old fisherman told them to sit up in the canoe but they replied that they did not want him to see their faces because they didn't look like humans. The old man told them he knew what they looked like because he had seen them in his dreams. The Memekwesiwuk took their hands off their faces and sat up in their canoe. To the old man's astonishment, they had no noses!



The old man scolded them, "I don't mind you taking the fish from my nets, Memekwesiwuk, but when you cut my nets it takes many days to have them repaired and often my children go hungry."

The Memekwesiwuk told him that they were sorry to have caused him so much hardship.

"I want you to promise me that you won't cut up my fish nets again," the old man told the Memekwesiwuk. The two medicine men swore that they would never again cut his nets up.

With that promise the old man let go of their canoe and they paddled off towards the cliff.



The Memekwesiwuk paddled fast towards the cliff they lived in. Their canoe bounced off the face of the cliff because it had lost its power where

the old man had touched it. The medicine men turned their canoe around and paddled to the cliff again and this time they disappeared into the rock. When they got inside their caves, the old man heard them laughing about their experience. The old fisherman never had a damaged net from that day on.



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The Powwow Trail

Pounding the powwow trail

by John Copley

It's been more than 350 years since the powwow, originated by the Algonquin tribes of eastern Canada, came into being. At first a means of celebrating victories and getting together with friends, relatives and allies, the powwow has made numerous transitions over the decades. Although it still accomplishes its original purpose, the rules have changed and the crowds have gotten bigger. At this time every year hundreds of tribes from across North America become involved in powwow programs. Tens of thousands of dancers, drummers, singers and artisans participate during the annual powwow season, some travelling thousands of miles to do so.

Since the powwow derives from ancient indigenous traditions and ceremonies not familiar to everyone, it's important for the occasional observer, and for those of you who are planning to attend your first powwow this summer, to remember that there are certain rules that apply, and certain etiquette that one should follow—especially if you plan to attend again next year.

The first and foremost of these rules is to listen to the words of the Master of Ceremonies if you arrive before the events have gotten under way. If not, pay him (or her) a visit to ensure that what you read here, applies there. Everyone likes to take a good picture or two and there is probably no better place in the world than a powwow to get some outstanding colour and great action shots to help you remember your visit. But not every powwow allows pictures to be taken and not every person wants to be filmed. It is imperative, therefore, that you ask permission, first from the host, then from the subject you intend to capture on your film. No photos are ever allowed during memorial dances and entering the arena, or dance area, is strictly forbidden by nearly every powwow association on the continent.

The arena is meant for dancers, as are the chairs you'll see inside the usually circular area. The seats on the outside, surrounding the arena, are for spectators.

Possessing any type of alcohol is strictly prohibited on powwow grounds. If you get caught with alcohol it won't be long before the tribal or powwow security team escorts you out of the area.

Keep your kids out of the dance arena—unless of course they are dancing. That goes for you too. Traditional regalia must be worn for all powwow dances except social songs. These songs include dances like the Two-Step, the Circle and the Blanket Dance.

North American Aboriginal powwows are more than just another Friday night dance. Each song is representative of a ceremony or prayer or special occasion and each is filled with emotion and/or spiritual reverence. Each powwow has its own way of doing things so check upon arrival. If the dancers are dancing counter-clockwise, do likewise. If in doubt, ask the master of ceremonies—that's usually the guy or gal sitting in front of the PA system, announcing, finding lost persons, introducing drum groups and telling funny stories to the crowd.

Sometimes, just in case of bad weather, powwows are held indoors. But many more are held outdoors, some within the First Nation community hosting the event. In these latter cases, it is not uncommon to see lodges and tipis set up around the grounds. These are not open to the public, in fact, they are the temporary homes of the people participating in the powwow. If facilities have been set up for demonstrations, classes or just to help you to get out of the sun, they will be clearly marked. Some larger powwow gatherings offer maps of the site—get one.

A powwow dancer's clothing might look like a costume to the average person, but it is not. The clothing, called regalia, is often a dancer's most prized possession. Some have been handed down through the generations, some are newer but have some of beading, stitching and sewing to complete. Some are plain and some are fancy but the rules don't change. Don't touch or handle a dancer's regalia, whether it's on the dancer or on a hanger, unless you have first asked permission.



The regalia is an expression of spirit. Honour the regalia and the person wearing it and you honour the living history it represents.

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Many vendors and traders make their living on the powwow circuit. Buying the materials to make their crafts and then handcrafting them is not an inexpensive proposition. On top of that initial cost, vendors must also pay booth fees, travel costs and living expenses. This creates an atmosphere for fair trade. The goods are on hand and they need to be sold and because of this, you can expect fair prices. And the value of the authentic goods you purchase are 100-fold that of an imitation created in an overseas factory where the worker is completely unfamiliar with Native tradition and culture. The committees and promoters of powwows are very strict about the quality, variety and authenticity of the goods sold at their events.

If you've never been to a powwow before, trying going about 2 p.m. on a Saturday afternoon. By then, the competition will be in full swing and you will see the most outstanding dancers. There is a supper break in the late afternoon/early evening which will give you time to shop at the vendor booths circling the arena. You will also get to see the second Grand Entry which is usually shortly after the break, and which signals the beginning of the night session.

Be sure to pick up any handouts you might come across, particularly if they list upcoming events or offer advice about powwow meanings, philosophies and background. If you've never been to a powwow, go to at least one this year. It's a great learning experience and an ideal way to dispel any of those myths you may have come across over the years. Powwows are sober, friendly and meaningful events that provide an ideal background for some personal learning and some great times. Just be sure you ask before you start shooting that camera.

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1999 Summer

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It's Powwow Season again! At the *Alberta Native News* we have put together a schedule of some of the coming powwow events and other happenings. Our list will be updated as the season progresses and we hope it gives you an idea of what to expect in the weeks to come. Good luck to all the summer festival participants. Have a great time!

JULY

July 2 - 4, 1999

- Poundmaker/Nechi Powwow
St. Albert, AB (780) 458-1884

- Celebration Days
Goodfish Lake, AB (780) 636-7000

July 9 - 11, 1999

- Mission International Powwow, Mission, BC
(604) 826-1281

- Enoch Annual Competition Powwow, Enoch, AB
(780) 470-2411

July 10 - 16, 1999

- Festival of Midnight Sun, Yellowknife, NWT
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July 14 - 16, 1999

- Peguis 16th Annual Powwow
Peguis, MB (204) 645-2320

July 14 - 18, 1999

- 1999 Kainai Fair, Powwow & Rodeo
Standoff, AB (403) 737-3753

July 16 - 18, 1999

- Head Smashed-In Buffalo Jump Annual Powwow
Fort MacLeod, AB (403) 553-2731

- Dakota Wacipi Oyate Gathering
Sioux Valley, MB (204) 858-2536

- Onion Lake International Powwow
Onion Lake, SK (306) 344-2525

- Skwax Powwow
Chase, BC (250) 679-3203

July 17 - 20, 1999

- Dene Gathering: 100th Anniversary
of Treaty Celebrations
Fond Du Lac, SK (306) 953-7234

July 20 - 23, 1999

- AFN 20th Annual General Assembly
& North American Gathering
Vancouver, BC (613) 241-6789

- Carry the Kettle Powwow
Sinaulsa, SK (306) 727-4969

July 23 - 25, 1999

- Keweenaw Bay Traditional Powwow
Ojibwa Campground, Baraga, Michigan USA
(906) 353-6623 (See ad page 16)

July 30 - August 1, 1999

- Sturgeon Lake Traditional Powwow
Sturgeon Lake, AB (780) 524-3043

- Ermineskin Annual Powwow
Hobbema, AB (780) 585-3435

- Peigan Indian Days
Brocket, AB (403) 965-3940

- Blueberry Bluegrass and Country Music Festival
Stony Plain, AB (780) 963-4181
(See ad page 17)

- 1999 Competition Powwow,
Heart Lake and Beaver Lake FN in co-operation
with the Lac La Biche Powwow Association
Lac La Biche, AB (780) 623-4549
(See ad page 17)

- 1999 Canadian Native Fastball Championships
Westbank, BC (250) 769-4032
(See ad page 18)

July 31 - August 4, 1999

- Elder's Gathering
Peplar Point, AB (780) 791-6538

AUGUST

August 2 - 4, 1999

- 23rd Annual BC Elders Gathering
Kamloops, BC (250) 376-1296

We extend our best wishes to all powwow visitors and participants. Have a safe journey along the powwow

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Powwow Guide

August 2 - 7, 1999

- 9th Annual Elders and Youth Conference
Horse Lake First Nation, AB (780) 356-3013 (See ad page 13)

August 2 - 8, 1999

- Treaty & York Boat Days
Norway House, MB (204) 359-4729

August 6 - 8, 1999

- Nechi Institute Reunion Weekend
Edmonton, AB (780) 459-1884
- Songhees Powwow
Maple Bank Park, BC (250) 385-3938

- 15th Annual First Peoples Festival
Victoria, BC (250) 384-3211

- Standing Buffalo Powwow
Pt Qu'Appelle, SK (306) 332-4685

- Muskoday Annual Traditional Powwow
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August 11 - 13, 1999

- Treaty Day 100 Year Anniversary
Desmarais, AB 1-800-268-6783

August 13 - 15, 1999

- Siksika Nation Fair 99
Siksika Nation, AB 1-800-551-5724

- Driftpile Annual Powwow
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August 15 - 19, 1999

- Summer Games 99
Big River, SK (306) 724-4700

August 20 - 22, 1999

- Piapot Indian Celebration
Piapot, SK (306) 781-7423

- Crooked Lake Agency Powwow
Broadview, SK (306) 696-3506

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Duck Lake, SK (306) 467-4441

- Kamloops Indian Days,
Kamloops, B.C. (250) 828-9700

- 88th Annual Chief Seattle Days
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August 21 - 22, 1999

- Dakota Cree Days II
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First Nation, SK
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SEPTEMBER

- September 10 - 12, 1999
• Batchewana First Nation Powwow
Sault St. Marie, ON
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(See ad this page)



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Treaty Six Powwow attracts huge numbers

by John Copley

At the end of last month Alberta's Confederacy of Treaty Six First Nations (CFSFN) launched the country's first national competition powwow. The venture, initiated, organized and administered by numerous individuals from within the 17 Treaty Six-member Nations, took place in the huge Agrium facility in Edmonton's Northlands Park. Other event sponsors included the City of Edmonton and the federal Department of Indian Affairs and Northern Development (DIAND).

"It was a very big success," said Henry Moosepayo, whose duties, among other things, were to record and archive the names of the winners of the numerous categories available during the three-day event. Moosepayo, a member of the Kehewin First Nation, located near Bonnyville, Alberta, said everyone involved was elated with the turnout and the weather couldn't have been better.

"You can go wrong when the event is held indoors," he said. "And I guess it's probably a good thing too, because the weather was anything but good."

About 1,000 dancers and drummers from across the prairie provinces and the northern United States arrived in Edmonton to participate in the May 28-30 extravaganza.

Randy Metchewais, the secretary/treasurer of the Canadian National Powwow Society, had his wish come true when big numbers of non-Natives showed up at the doors.

"We want the non-Native community to see us in a better light," he told media on the first day of competitions. "We want you to know that these people come from somewhere and this is what they are. They're not hollow shells out there. This is what's inside of them."

The opening of the national powwow began at six o'clock on Friday night; the traditional Grand Entry was held about an hour later. The magnificent colours of the headdresses and powwow regalia saw mouths agape and eyes filled with wonder as the procession circled the inside arena. Saturday morning and evening Grand Entries also drew huge crowds from

the Native and non-Native communities.

The dance competitions, which took place between Grand Entries, were broken down into age categories, the youngest participants ranged from three to five years of age, the Eldest represented the elders and other senior members of the Aboriginal community. The total who participated were each paid the nominal fee of five dollars per day for their efforts. Winners in the remaining categories were paid only if they won some of the cash that was up for grabs during the popular event. Beaver Lake First Nation Chief, Rosaire Bugle, said the powwow spirit was an important part of Aboriginal life and that it allowed "people to come together and work together," and share in a meaningful endeavour that will "help in the healing process in our communities."

Henry Moosepayo agrees. He says the importance of the powwow, and other events that bring people and communities together, go a long way in helping Aboriginal people retain the pride and dignity they have always known as Canada's First citizens.

"The powwow is a special event and symbolic of who we are," he said. "In order to heal, it is very important to know who you are and where you come from. This is another way of getting back to your roots, back to your culture." He also reiterated the importance of non-Native involvement and said these types of venues offered good opportunities for both learning and understanding First Nation traditions and lifestyles.



Native Fastpitch Championships: July 30 - August 2

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The Westbank Canadians Fastball team has been awarded to host the 1999 Canadians Fastpitch Championships. They will be hosting this year's tournament in the "Heart of the Okanagan" on July 30, 31, August 1, 2.

The Westside Canadians Fastpitch Team are home of the Westbank First Nation and they are truly planning a successful tournament. Native teams are coming from all across Canada to participate in one of the most prestigious events in Canada. Fastpitch is fast becoming as traditional as pow-

wow. Native teams travel all across Canada and the US to participate in a sport where First Nations strive to succeed as top team in this competitive game.

The Westbank First Nation, in the past, has supported two of their fastball teams. The Westbank Jewels Ladies and the Westside Canadian Men's Team, have been established for almost 30 years. This year they are planning a memorable event that will attract First Nations ball players to win thousands of dollars that will be up for grabs and a chance to host next year's championships.

If your team is interested in participating in this event, please feel free to contact one of our committee members—Nicole Werstuijk at 250-769-0032, Sharon Zerr at 250-769-0562, or Clarence Clough at 250-768-7961.

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Annual Lac Ste. Anne pilgrimage set for July 24-29

by John Copley

The annual pilgrimage to central Alberta's, Lac Ste. Anne, has been taking place for many decades. In July, Aboriginal people and others who believe in the restorative healing powers said to come from the waters of the central Alberta lake, arrive from all corners of the country, particularly the western provinces. The people who attend do so for a variety of reasons, the most common being to meet old friends, to bathe in the cool waters and to pray for a healthy body and mind and a future of equality and understanding. Others come to seek out the magic of the waters and to pray for the cure to their ailments, whether physical, emotional or mental.

The pilgrimage is overseen by the Missionary Oblates of Grandin Province, pioneers of the church in western Canada and well-known for their work among the poor and the less fortunate.

Lac Ste. Anne got its name in 1843, just after the arrival of Father Thibault, the builder of Alberta's first Catholic church. When organized pilgrimages first began at Lac Ste. Anne, they coincided with the July 26 feast of Saint Anne, credited as being the grandmother of Jesus in the writings of Mary during the first centuries of the Christian era. Originally a two-day event held on a Tuesday and Wednesday, the pilgrimage has since been changed to extend between Saturday and Thursday, but is still held just before, or in conjunction with, the July 26 Feast of Sainte Anne.

This year's pilgrimage will take place from July 24-29. Located just a few miles west of Alberta Beach, the Lac Ste. Anne pilgrimage site is just a short drive down Highway 16 (or 16X) and another along Highway 633—if you are travelling from Edmonton. If you are arriving from the direction of Valleyview, take Highway 43 until you reach Gunna, then follow the Lake Route to Alberta Beach.

Every year the pilgrimage takes on a new theme and 1999 is no different. *I Will Never Forget You, My People* is the theme for this year's event, named to aid in the preparation for the Oblate's Jubilee Year, 2000. Last year the theme was entitled, *Hope and Holy Spirit*. Each year for the past 109 years upwards of 40,000 people, many of whom are of Native ancestry, make the pilgrimage to the lake. This year, as in the past, visitors and participants will arrive by car, bus, motorhome and bicycle. Each will have his or her own reason for making the journey.

"Native people," explained pilgrimage director, Father Fred Groleau, "have always recognized that amongst themselves are people who have the gift of healing. They go to them."

Once the mass is completed, recognized healers from the different communities are asked to come forward and participate by helping to bless the ailing with the vials of holy oil provided up by the church. The waters of Lac Ste. Anne are believed by many to have mysterious powers that heal the body, cleanse the mind and provide hope that prayers can be answered. No one knows for certain just why so many people have received help from the water in the lake.

Father Groleau says that though no actual doctors come out to verify the cures that apparently take place during the six-day event, the effect is often overwhelming.

"Faith is the main element," he smiled. "Nothing works unless people believe in it. If it's a good experience for them, that's all that matters."

More information about the pilgrimage can be obtained on the internet by contacting the pilgrimage director of operations at fgroleau@omigrandin.ab.ca.



Ray 99

Tips on enjoying a powwow visit

- If you are in a hurry, don't go. Forget the clock and busy timetables. It's time to relax and enjoy.
- Wear loose comfortable clothing and be sure your kids do, too. Bikinis and skimpy skirts don't really fit in, but jeans, cutoffs and casual clothing do.
- Take lots and lots of water. Keep cool. Share with those who might not have any. It's also a good idea to take a cloth and wash basin, especially if you have younger children with you. In hot weather they will need cool sponging now and again.
- Wear comfortable shoes. The terrain may be rough so be sure you have something with support.
- Take something to sit on. Fold-up chairs are ideal. If you are a late arrival, chances are all the good seats will be gone. Be prepared.
- Take a hat and wear sunscreen and be sure to have a stroller for young children. If someone gets lost, don't panic. Walk to the powwow announcer's table and have them announce it over the PA system.
- If you're on a special diet and can only eat a particular kind of food, take it with you. If not, you've come to the right place. Powwow vendor food is excellent fare. Visiting a powwow provides a great opportunity to try some favourites, including fresh made bannock, home-made beef stew, delicious Indian tacos, or the often huge but always sumptuous, buffalo burgers.
- If you take a pet, keep it on a leash. Be sure to clean up any mess that is made by your dog or cat.
- If you plan to stay overnight, make reservations. Plan in advance. The nearest town might be miles away and rooms are always scarce at powwow time. If you are not familiar with the area you are visiting, contact the nearest Chamber of Commerce for current information.
- Some powwow grounds have trailer and RV hookups—but that doesn't necessarily mean you can use them. Be sure to ask first and abide by the rules set down by the powwow committee.
- Have fun. Buy some goods if you can afford them. Donate some cash if you can. Join in and become a part of the celebration and remember, when in doubt, ask.

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Health and Education

Gordon Russell honoured by NCSA

by John Copley

Gordon Russell has been named Citizen of the Year by the Edmonton-based, Native Counselling Services of Alberta.

Anyone who has been involved with Native Kids in Edmonton has heard Gordon Russell's name mentioned more than once. The fact is that Russell, a very well known and highly respected Edmonton inner-city youth worker, has spent the past 30 years trying to improve the living conditions of young urban adults, in particular, young Natives seeking an opportunity to succeed. As director/manager of Edmonton's Crystal Kids Drop-in Centre, Russell has made a positive impact on youth. Gordon Russell, a former pro boxer who's spent most of his life involved in sports, received numerous gifts during a special presentation held recently in Edmonton. Commended by the organization, and its Executive Director, Allan Benson, for his work with the inner city's Native youth, Russell was presented with a beautiful star blanket and a Morris Cardinal print.

"I didn't plan on becoming a coach, I just fell into it," he commented after the award presentation. Beginning as a boxing coach, Mr. Russell quickly expanded his programs to include running, basketball and fastball. During his years of involvement, Gord worked with many well-known people including Frank Pruden, Rita Houle and Randy Jackson. Already a member of the Edmonton Sports Hall of Fame, Gordon Russell has also been a recipient of the Edmonton Sun's Unsung Hero Award and was named winner of the Sportsman of the Year Award from the Edmonton Sportswriters and Sportscasters Association.

Mr. Russell plans to continue in his quest to provide extracurricular activities for young adults—no matter what culture they represent. "If they want to learn, I want to teach them," says Mr. Russell. "Lots of kids are serious about wanting to get ahead and I'm all for that. The programs we offer at Crystal Kids are ongoing and they help to keep a lot of kids off the street."



Lawsuits, Continued from page 4

centrated exclusively on sexual abuse cases, his firm has a broader scope. "Sexual abuse is very serious but in some cases the destruction of people's self-confidence was as serious." Merchant says that some teachers took racial stereotypes to great lengths in the classroom, using "negative or fear motivation" to wipe out pride and culture. "For physical and emotional violence Merchant estimates compensation claims could range from \$50-60,000, and with sexual abuse included, the monetary range jumps to anywhere between \$300,000 to \$500,000.

Merchant does not hold back his criticisms of Native leaders such as Assembly of First Nations Grand Chief Phil Fontaine, who has condemned law firms for canvassing on reserves to get law suits. Merchant admits his firm has done a small number of such efforts but says that the great majority of the time meetings are initiated by groups such as elders asking them to come to the reserve. The Native leadership divides into three groups, says Merchant, those who are neutral about the residential school cases, those who support personal compensation for the abused, and then "there's Phil Fontaine and about a third of the First Nations leadership" a group that is declining because the results of lawsuits are now been seen on reserves, but who still feel that class-action and collective lawsuits are the only ones to be considered. "First Nations people are very suspicious of money going to band management or being used to build sweatshops or hiring psychologists or paying first class tickets to fly to and from Ottawa."

Merchant feels that Native leadership has done very little about the residential school problem for twenty years, even though leaders like Phil Fontaine admit they were abused. Merchant believes that the initiative taken by lawyers over the years in starting legal actions, has spurred the government and church leaders into apologizing over the abuse and setting aside \$350 million in a special fund for those abused.

In fact, says Merchant, even with all the cases now filed, this number represents only a small fragment of the actual number of Natives who passed through the residential schools. Instead of condemning initiatives to get compensation and closure for Aboriginal people, First Nations leadership still shows little if any constructive leadership, he adds.

The government on the other hand, says Merchant, started with some positive efforts but now, with claims piling up, have resorted to "systemic trickery" and are "stalling the cases and really making a sort of litigation game out of the process."

It's wrong, proclaims Merchant strongly, and eventually the government "will suffer for it."

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Treaty 8 celebrations a success

by Ennis Morris

The opening of the Treaty 8 centennial celebrations near Grouard, Alberta earlier this month was a resounding success—and in more ways than one. A large crowd of over 5,000 spectators added a certain excitement to the day, as did the appearance of four large eagles as they soared high in the cloudless sky

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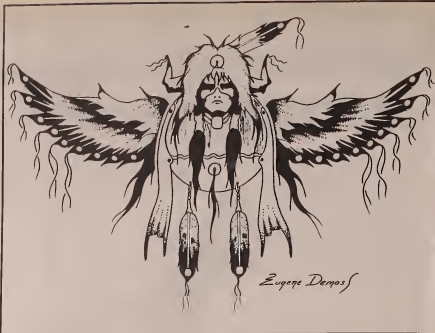


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directly above the festival grounds. It was a sign of busy days to come and busy they were, with crowds over the five day-long affair reaching almost 20,000 strong, and matching the figures originally predicted by organizers.

As in any venture that marks the significance of Aboriginal culture and tradition, particularly one that has fostered so many viewpoints and conclusions over the decades, the Treaty 8 Centennial gala was an ideal venue for political controversy. But despite the odd speech, in particular one to a full house by Edmonton lawyer Jerome Slavik, all was quiet on the political front.

Slavik told the gathering that he agreed with Native Elders who say that the federal government has "denied, avoided and delayed" instead of fulfilling promises of a good education, employment, health care programs and a road that leads to self-reliance and self-sufficiency.

Mixed feelings about the event and the circumstances under which Treaty 8 was originally signed back on June 21, 1899, were evident from many in attendance, but most agreed that the significance of the celebration outweighed a reiteration of yesterday's politics. The fact is, most Aboriginal Canadians understand that when their ancestors signed the treaty, they were expecting to share in the land. They have also come to understand that as far as the government of that day was concerned, the deal took away any rights the Aboriginal people had to the land or to the resources on it.

"That's old news," local entertainer, 23 year old

Keith Laboucan told media when asked about the upbeat rap songs he sings. "I'm not into that oppression stuff. I don't like rapping about how we lost our land and these guys came over and settled on it. I'm not about that."

Comments from other members of the younger generation were nearly all similar to those expressed by Laboucan. "We care about today and tomorrow," agreed 19 year old Jeff Burwash. "How we got here and how we got screwed, those things are behind us and nothing will ever change it. It's time to think about tomorrow. It's time to take advantage of the future by applying what we have learned from the past."

The long list of activities held over the five days of the Treaty 8 Centennial celebrations included an array of multi-talented Aboriginal artists and performers, traditional handgames, tea dances, boat rides, trail rides, regional bus tours, a golf tournament and a variety of other activities.

The Dripole Pow-Wow Society organized, coordinated and paid out more than \$40,000 at the event's Centennial Commemorative Powwow, one of the most popular events to take place during the busily scheduled gala. The Centennial Committee published a souvenir booklet that contains the history of Treaty 8, including numerous personal accounts of the treaty. A commemorative monument was also unveiled at an official ceremony following the Grand Entry on June 17.

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Economic & Resource Development

Whale kill impacts treaty talks in B.C.

by Brian Savage

The Makah Indians of Neah Bay, Washington recently carried out their first whale kill in more than 70 years, an event that has raised comments ranging from praise to condemnation from a wide variety of groups.

However, for the Makah, the event signals a return to their traditional ways, an important ritual only a few elders could remember. The grey whale once contributed to every facet of Makah life, from food, bones for weapons and material for their longhouses, to oil for lamps.

After the nine-metre grey whale which could weigh up to 40 tonnes, was killed, the blubber was cut and served to various dignitaries and band members who gathered on the beach. Natives from tribes from across Canada and the United States gathered to participate in ceremonies and a powwow.

For the Makah it was a return to one of their long time staples in their diet, something that came to an end in the 1920s when the grey whale was hunted to almost extinction. In 1994 the U.S. government removed the grey whale from the endangered list. The U.S. government also contributed financial aid for this recent hunt, as much as \$340,000.

Not everyone supported the hunt and angry comments have come from environmentalists and animal rights groups.

In B.C., the Nuu-chah-nulth of Vancouver Island have expressed interest in reviving their whaling culture and tradition, something that has provoked the ire of B.C. Premier Glen Clark and Aboriginal Affairs Minister Gordon Wilson. Clark has stated that any treaty put before him that contained provisions for a whale hunt would not be signed by him, even though whaling comes under the federal government jurisdiction.

These comments provoked Chief Joe Mathias of the First Nations Summit to tell media, "That does not bode well for the treaty process because (Premier Clark) is now dictating to Indian people what our rights are and what they should not be."

One person deeply concerned by the whale killing is Michael McGonigle, a law professor at the University of Victoria and also the chair of environmental law



and policy.

McGonigle, who supports Native rights, urges Natives to rethink their strategy when it comes to killing whales.

"What I think is important is First Nations are not alone, and First Nations should think about their impact on their allies, on other people's values."

McGonigle says a special distinction has to be drawn between resurrecting a whole hunt and bringing back a tradition. The Makah are believed to have killed five or six whales a year during their whale hunting era. The prospect of eco-tourists going out to see whales and instead see hunters killing the huge mammals with harpoons and 50-cal. armour-piercing machine guns is not a pleasant thought, says McGonigle, who urges Natives to consider carefully their position. "There are other sensibilities out there. The loss of Aboriginal fishing rights and the erosion of the fisheries is a scandal that is terribly painful to Aboriginal people, and everyone should be working like mad to protect those fisheries and make sure Aboriginal and non-Aboriginal people in coastal communities get an absolute priority to the fisheries and the management

of it."

McGonigle is particularly concerned about those who seek to reopen the whaling industry on an international scale. "There's no question this is the thin edge of the wedge."

The Makah lobbied the U.S. government for some time to repeal the ban on grey whale hunting and participated in the forming of the World Council of Whalers (WCW) in 1997. The WCW has both Aboriginal and non-Aboriginal members and while many members can be found on Vancouver Island, large financial contributions have come from Japan, a country with a long whaling tradition that has long sought the deregulation of whaling restrictions.

The International Whaling Commission (IWC) placed a world-wide moratorium on whaling in 1986 after whale populations sank to record lows. Less than thirty years before, whaling countries like Norway and Japan were leading the way with whaling kills of 50,000 a year and last month Japan legalized the catching of bluenose whales in the Sea of Japan, defying the IWC rules.

The Makah received substantial funding for the hunt from the U.S. federal government and used part of that money to fly representatives to Monaco, Africa, to appear before the IWC and get permission for the hunt.

A repeal of the moratorium would "guarantee" the end of several species of whales, says McGonigle, who, in addition to supporting and working for First Nations in the past, has worked with Greenpeace on whaling issues. He has also worked for many years on forestry and wilderness issues. "Right now there are so many species of whales that are very close to the line," he observes. Enforcement of whaling quotas or restrictions are already difficult, and demands for whale meat could spell the end of some species, fears McGonigle. "I don't think anyone wants to see the blue whale, the largest mammal that ever lived on this planet go extinct. The grey whale has made a significant resurgence in population but it is by no means safe."

Continued on page 27

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Supreme Court changes Native voting rules

The Supreme Court of Canada has struck down a section of the Indian Act which denies voting rights for those members living off reserve. The decision, centred on the Batchewana Band in Ontario where almost 70 percent of the band membership live off reserve. The ruling is expected to elicit fundamental changes to the way many bands across Canada elect their chiefs and councils.

The unanimous decision by the nine judges ruled that the section violated the Charter of Rights and Freedoms and the government has 18 months to correct the legislation. Despite the ruling Natives living off-reserve will still not be eligible to run for band election. The numbers of voters in band elections will double or even triple in some cases and Phil Fontaine, National Chief of the Assembly of First Nations, told media, "The structure of many communities is going to change." He further indicated that bands may need more money from Ottawa to finance elections and the needs of off-reserve members who may demand services from their bands.

Native women, living off-reserve and already dealing with Bill C-31 passed in 1985, will also face a new situation as many struggle to regain their membership on the reserve.

Viola Thomas, president of the United Native Nations, feels strongly that the benefits from the changes demanded by the Supreme Court will be positive in the long run.

The conditions faced by Natives cannot be tolerated, says Thomas, noting the devastating impact of residential schools and the continuing impact of cross-cultural adoptions. The high Native incarceration rate in Canadian prisons can be traced to the effects of poverty, homelessness, and cross-cultural adoption and fostering, promoting low self-esteem and problems of culture loss and identity crisis.

"Most of it is really tied to poverty, especially for those in the urban environment. Those are the ones hurting the most," says Thomas, "and they don't have access to their bands."

Thomas sees the Indian Act as the fundamental cause of the problems facing Natives today.

"These barriers that have been created are a direct result of the discriminatory clauses in the Indian Act. This is the real culprit here because it eroded our true forms of governance," Thomas says that prior to the 1876 Indian Act most First Nations were "inclusive" in advocating the rights for those living in their territories but also had an open process involving youth and elders.

From 1908 to 1951 Native women were not allowed to vote for chief and council, observes Thomas, and the impact of this exclusion still exists for Native women today. Secondly says Thomas, came the federal government's White Paper in 1969. "Our policy has always been to assimilate and to terminate Aboriginal people. Indian Affairs Minister Jane Stewart had every opportunity to amend the Indian Act before going to the Supreme Court of Canada. They gambled and chose to litigate at the waste of public taxpayers' money. What does that say about a minister of Indian Affairs who's supposed to be our trustee to ensure and to honour their fiduciary obligations to all First Nations people."

"I think the real issue here is how can we restore our true forms of governance and practices that were totally inclusive," says Thomas, noting past customs including ceremonies and dances which honoured children and women. "It was those cultural traditions that articulated who we were and where we come from and how we should conduct ourselves in the development of Indigenous governance."

Thomas says she would like to see this case act as a "springboard" in sparking dialogue between Natives living on reserve and those off-reserve. Using those terms is distasteful to Thomas who notes that if all the reserves in Canada were put together they would fit easily over the Navaho Nation in the U.S. with room left over.

"I think there's been a historic systemic form of discrimination implemented as a result of Indian Act legislation," says Thomas bluntly, saying the federal government created the problem of Natives living off-



reserve and they must now deal with it. "I hope Aboriginal communities see this decision as a positive strengthening amendment to lobby the government to increase budgets so all the needs of Aboriginal people can be met, rather than blaming urban off-reserve people for the problem. It's not the urban people that had a choice about living away from their communities. It's become a systemic relocation policy by not providing adequate resources to bands that forces people to relocate."

Thomas cites unemployment and lack of housing as part of the social reality. "It speaks to the need for all Aboriginal peoples to begin finding ways to build our collaborative cooperative relations, rather than using the Indian Act to divide us. And I think the government has been very effective in using that as a tool to polarize all Aboriginal people."

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Historic First Nations land legislation proclaimed

Bill C-49, the **First Nations Land Management Act (FNLMA)** has received Royal Assent in the Senate.

The legislation transfers the control of day-to-day land management decisions and activities from the Department of Indian Affairs and Northern Development (DIAND) to the 14 participating First Nations. In addition, the FNLMA enables these First Nations to develop and implement a community process for the creation and ratification of laws on the use, possession and occupancy of First Nations' lands and on the division of property upon the breakdown of a marriage.

"This is a very historic moment in Canadian Aboriginal history," said Robert Louie, Chair of the Lands Advisory Board. "Never before has a group of First Nations accomplished such a formidable task of regaining control over their lands, resources and daily lives. The chiefs and their councils, representing six provinces, have worked tirelessly over the past decade to conclude this government-to-government agreement with Canada. This represents a momentous and significant achievement."

"The chiefs, councils and communities of the 14 signatory First Nations are to be recommended on their tireless efforts over the past ten years to regain authority over their lands and resources," said Jane Stewart, Minister of Indian Affairs and Northern Development. "The First Nations Land Management Act is a positive step for the Government of Canada as we remove ourselves from the day-to-day management of lands and resources for these signatory First Nations and enable them to deal directly with their neighbouring municipalities, businesses and other potential partners to develop economic opportunities."

Chief Austin Bear of the Muskoday First Nation in Saskatchewan stated, "The Framework Agreement and the First Nations Land Management Act, at last legitimately acknowledges our fundamental right to govern our own communities and to control our lands and resources. This acknowledgement is long overdue and our community is pleased that this day has finally arrived."

Chief William McCue of the Georgina Island First Nation of Ontario, indicated that "our community will now have the jurisdiction to consider long-term cottage leases as well as other economic development ventures."

In a letter of support for the FNLMA, Mike Sanderson, president of the Snake Island Cottagers' Association, tenants of the Georgina Island First Nation, stated that the association and the band "over the years had developed a friendly working relationship and we look forward to dealing directly with the band. The time for self-government is now."

Chief Bill Williams of the Squamish First Nations, located on the lower mainland of Vancouver, stated that "now that the FNLMA has received royal assent, the Squamish Nation will begin a two-year period to determine if the community wishes to assume responsibility for land management. With the full active participation of all our members, we will develop a Squamish Land Code based on fairness, equality and accountability and then conduct a community vote." Chief Williams added that "the new powers for our community are a brass



ring that will enshrine economic opportunity to develop and enhance community capacity for generations to come."

Chief Rennie Goose of the Scugog First Nation, located northeast of Toronto, stated that "our location in the middle of prime Ontario recreational land will generate a number of new economic development opportunities which will provide revenues and jobs for our people."

The government-to-government agreement will promote economic development on reserves and enhance the accountability of chiefs and councils to their membership by ensuring that there is community decision making in the approval of a land code. The FNLMA will also provide a positive model for other First Nations interested in assuming similar land management responsibilities in the future.

Although the legislation currently applies only to the First Nations who signed the Framework Agreement on First Nations Land Management in 1996, other bands have already expressed an interest in participating in the initiative. As a result, a provision permitting additional First Nations to opt-in to the legislation through an order in council has been included in the FNLMA.

- The 14 First Nations participating in this initiative are:
- British Columbia: Westbank, Musqueam, Lheidli Tenekeh, N'Quatun, and Squamish;
 - Alberta: Siksika;
 - Saskatchewan: Muskoday, Cowessess;
 - Manitoba: Opaskwayak Cree;
 - Ontario: Nipissing, Mississauga of Scugog Island, Chippewas of Georgina Island, Chippewas of Mnjikaning;
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Off-reserve band members may vote with new court ruling

by John Copley

A recent decision rendered by the Supreme Court of Canada may set new electoral precedents in more than 275 of Canada's 633 First Nation communities. The May 20th ruling strikes down a section of the Indian Act that denied off-reserve residents the right to vote in band elections. In its decision the Supreme Court gave the federal government and the 274 First Nations communities that still vote via the Indian Act election format, 18 months to "develop an electoral process that will balance the rights of off-reserve and on-reserve band members."

The ruling was made in a decision involving Sault Ste. Marie, Ontario's, Batchewana First Nation. Status members who lived off-reserve couldn't vote and they took the matter to court. The court ruled in their favour, saying that no matter where they lived, they were still represented by their band.

"Off reserve Aboriginal band members can change their status to on-reserve band members only at great cost, if at all," reads the ruling. "The reserve, whether they live on or off it, is their and their children's land. The band council represents them as band members to the community at large, in negotiations with the government, and within Aboriginal organizations."

Batchewana Chief Vernon Syrette disagreed with the decision and said the court shouldn't be the one to decide who votes in First Nations elections.

"I think the whole concept of self government, when it comes down to it, is certainly not being honoured in Canada at all," he told media. "As far as I'm concerned, it should be up to our people to decide."

Assembly of First Nations Grand Chief Phil Fontaine is happy with the decision, saying that the 18 months provided by the court will allow First Nations leaders to step up to the plate.

"This case clearly shows that the Indian Act is an antiquated, racist and outdated piece of legislation," said Fontaine after the decision. "The Supreme Court recognizes this and has given the government 18 months to amend it. This decision highlights the crucial need for First Nations to create their own legislation in the area of governance." He added that the AFN is in the process of "working with our communities to resolve these issues because we are best suited to manage our own affairs."

Jerome Morin, a councillor with Alberta's Enoch First Nation, says members of his band have spent the last 10 years trying to opt out and/or change the voting restrictions that were written into the Indian Act election procedure (Section 77(1) in 1961).

"This reserve," he said, "is an artificial boundary and our treaty is not limited to this four by five mile space. People are saying that whether they live on or off the reserve, they should not be denied the vote."

Northern Manitoba's Mathias Cumber First Nation

leader Chief Shirley Castel, is one of several who have spoken out against the Supreme Court ruling. She says off-reserve residents have no place in the First Nation's election process. She told media that if a person moved out of Winnipeg, they wouldn't be allowed to vote in the city just because they were born there.

"The same rule applies here," she said, adding that the costs needed to ensure that everyone got a ballot would be astronomical, considering the fact that 700 people on the band's membership list lived off-reserve, some as far away as Texas.



Supreme Court vindicates residential school survivors

The Supreme Court has handed down a decision which vindicates the position of the Assembly of First Nations and all survivors of residential schools in Canada, says the National Chief of the Assembly of First Nations, Phil Fontaine.

"This decision reinforces what we've been saying from day one. If you create a system to impose cultural genocide on a given group and you put children at risk of physical, sexual and cultural abuse, you're liable for your own acts and for those of your employees. The Supreme Court has recognized this principle in the decision handed down today. The government and the churches are responsible for the victimization of our peoples and as such must now more seriously meet to determine their respective shares of the liability and resolve

these issues with all the victims," said the National Chief.

The unanimous decision puts the onus on both the federal government and the churches to resolve the matter of liability and to finalize an alternative process of dispute resolution on which they have been negotiating with the AFN. The current litigation approach is inhumane, time-consuming and costly and only serves to re-victimize the survivors, said the AFN leader. Alternatives must be put in place.

"We have been trying to get the parties to agree to an alternative process for over a year. This decision shows that the residential school cases which victimized our peoples meet all the tests set forth in the court decision. The other parties must now act in good faith and define a new process in order to bring closure to this painful experience in the lives of many First Nations citizens," added National Chief Fontaine. "The federal government, in its Statement of Reconciliation of January 7, 1998, apologized for the treatment of residential school victims. It must now give meaning to its apology by settling with all the victims," he concluded.

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News Briefs

Chief wants incorporation of local police force

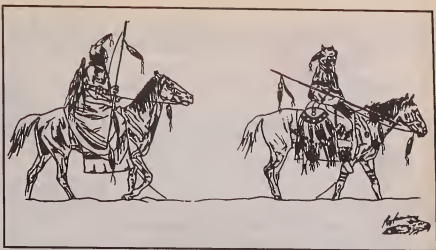
Alberta Chief Walter Janvier, head of the Chipewyan-Prairie First Nation near Fort McMurray, says he's fed up with being put off and is ready to take his concerns about Native policing, or the lack of it, to the streets in protest. He recently told media that if his concerns aren't taken seriously, he intends to "shut the local RCMP office later this month. He says that despite the fact that several hands are contemplating the incorporation of a local police force, attempts have been thwarted through slow response and a lack of interest by local authorities.

RCMP Inspector Paul McLennan heads up the Fort McMurray office. He says he believes Chief Janvier's words come because of the frustration he feels about the time it's taken to open a local police force on the reserve.

Chief Janvier says that since last December, when former Social Services Minister Mike Cardinal's scathing report about Native policing services and the inadequacies within them was released, everything has come to a standstill. He also claims that Inspector McLennan won't address the issues he's concerned with and that he appeared to have a negative attitude during a meeting earlier this month.

McLennan told media that he was always willing to listen, always open to suggestions. At the meeting he told Janvier that he would listen and act on viable suggestions but that "we're not going to solve 125 years of issues."

In his report Mike Cardinal referred to Native policing programs as having poor leadership and an



insufficient amount of training, especially in the area of investigatory skills.

Though Chief Janvier claims some local Natives have been mistreated by the RCMP, he did not name names and McLennan said no complaints have come to his attention to date.

"We can't take third party complaints," explained McLennan, adding that he would definitely listen to anyone that came forward with complaints about him or other RCMP members.

Native sentencing should be restorative, not retributive

The head of the University of Saskatchewan College of Law has told the Canadian Supreme Court that the country has established a two-tiered justice system for Natives, and that it should continue with the plan. In fact, Kent Roach, who appeared on behalf of Aboriginal Legal Services of Toronto, told the court that Native Canadians should automatically be sentenced to home or community service when the laws they were convicted of breaking qualified for a light sentence. He said that "restorative" rather than "retributive" justice would provide the best medicine and the most effective way to get the job of rehabilitation done was to help create a better person through positive reinforcement and community involvement.

Justice Claire L'Heureux-Dubé presided over the hearing and asked Roach if he thought that incarceration for violent offenders only would bring about a two-tiered system.

"I would say we are there," came the reply, as Roach referred to a relatively new and somewhat controversial section of the Criminal Code that allows, even

encourages, judges to consider the background and social conditions of an accused Native before passing sentence.

Roach was speaking in an appeal for Alberta Native James Warren Wells, convicted of sexual assault on an 18 year old woman who was either asleep or unconscious at the time. Refused the more lenient conditional sentence, Wells was sentenced to 20 months in jail. Of the six cases heard by the court at the end of last month, he was the only one to be sentenced to jail time.

Though there are many supporters of the call by the Supreme Court for judges to consider the backgrounds of Native offenders before sentencing them, just as many disagree with the idea, including Reform MP Chuck Cadman. During the week of the Supreme Court hearings he told media that "the Criminal Code has to apply across the board, to everybody, equally."

Others opposed to the conditional sentencing structure include many of Alberta's prosecutors and judges who have been hesitant to offer lesser sentences to Natives because of their ancestral background.

Whale, Continued from page 23

McGonigle notes that seven grey whales have recently washed up on beaches in the area dead, believed poisoned by toxic pollutants. Other whales face problems from other human industries, such as whale calving grounds in Mexico now threatened by development from the industrial giant Mitsubishi who wishes to build a salmonine on the coast.

McGonigle recently co-wrote *Fishing Around the Law*, a study of the management practices of the Department of Fisheries and Oceans which found the denial of Aboriginal traditions in fishing and the denial of Native rights to manage fisheries unconstitutional. He is particularly concerned that hard-won coalitions between various groups and Natives could be threatened by the recent action of the Makah.

The salvation for coastal fisheries is to get it out of the hands of the multinationalists and big bureaucracy and get it back to the people, the coastal communities, Aboriginal and non-Aboriginal. Local community stewardship and empowerment is absolutely critical and First Nations are critical to that movement. That's why it's important for First Nations to exercise that historic responsibility in a very responsible fashion."

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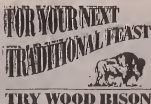
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